

DEPARTMENT of the INTERIOR

news release

OFFICE OF THE SECRETARY

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INTERIOR PUBLISHES FINAL 1979 REGULATIONS FOR KLAMATH RIVER FISHERY CONSERVATION

The Interior Department today published the 1979 regulations for fishery conservation on parts of the Klamath and Trinity Rivers in Northern California. The plan includes a ban on Indian commercial fishing on the Hoopa Valley Indian Reservation, effective April 1, 1979. Non-Indian sale of fish taken from the Klamath River is already prohibited by State law.

The regulations allow for Indian subsistence and ceremonial fishing, while specifically disallowing commercial fishing. Biological data indicates that the 1979 plan will result in a significant harvest reduction, in comparison to the 1978 fishing seasons when commercial fishing was authorized.

Drift-net fishing below the Highway 101 Bridge is also disallowed because this method results in the greatest number of fish being caught by the smallest number of fishers. Subsistence fishing with set nets, as well as with drift nets above the Bridge, is authorized seven days per week, with the limitation that only two nets of a combined 100-foot length may be used. Hook-and-line and dip-net fishing are also allowed. Criminal penalties for violations of the regulations are also established, including the optional use of non-compensatory enhancement work on the Reservation. Prosecutions will occur in the Court of Indian Offenses for the Hoopa Valley Indian Reservation.

Under normal situations, Indian tribes regulate their own fishing on their reservations. On the Hoopa Valley Indian Reservation, however, this has not been possible because the two Tribes have not completed the organization process which is prerequisite to successful self-regulation, resource protection and fishery management. The Hoopa and Yurok Indians of the Reservation are continuing their efforts with Department representatives to overcome this problem. The majority of the Indian people share the Federal and State concern for the current fish-run crisis. The Department has actively encouraged Indian attempts to organize so that the two Tribes can implement a Reservation-wide management system and assume responsibility for future fishing regulations.

In developing the regulations, Department officials met with Indians of the Hoopa Valley Indian Reservation to address commercial fishing and other resource issues surrounding this year's fishing seasons. Two public hearings were held and many written comments were received on the regulations, which were proposed on February 14, 1979. Many of the new provisions were adopted on the recommendation of Indians participating in the meetings held over the past three months.

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Over the years, Hoopa Valley Reservation Indians and all inside fishers have criticized the lack of action restricting the ocean take. The Department addressed this point in February when Secretary Cecil D. Andrus cautioned the Pacific Regional Fishery Management Council (PRFM) against a proposal to extend the 1977-78 salmon plan, which has implications for the Klamath River and coast-wide fisheries.

The 1979 salmon runs are expected to be dangerously low, due to the impact of the 1976 drought, which has adversely affected fish runs from California to Alaska. In his February 7 letter to the PRFM Council Chairman, Andrus stated that the inside fisheries cannot be expected "to bear the conservation burden for all. Fairness alone requires that the ocean fisheries bear their fair share of the conservation burden." However, the cutback in ocean fishing voted two weeks ago by the PRFM does not solve the conservation problem, and restrictions on river fisheries are still necessary to achieve conservation goals.

The 1979 regulations will take effect on April 1, when the spring run is expected to begin. The comment period closed on March 16. The regulatory procedures may undergo further alteration throughout the year, based on the spring run experience, all available biological data and continuing consultation.

Further information on the regulations can be obtained from: Joe Weller, Superintendent, Bureau of Indian Affairs, Hoopa Agency - P.O. Box 367, Hoopa, California 95546, Telephone (916) 625-4285.

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